12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

1	Annette W. Jarvis, Utah Bar No. 1649
2	RAY QUINNEY & NEBEKER P.C. 36 South State Street, Suite 1400
3	P.O. Box 45385 Salt Lake City, Utah 84145-0385
4	Telephone: (801) 532-1500
5	Facsimile: (801) 532-7543 Email: ajarvis@rqn.com
6	Lenard E. Schwartzer Nevada Bar No. 0399
7	Jeanette E. McPherson
8	Nevada Bar No. 5423 Schwartzer & McPherson Law Firm
9	2850 South Jones Boulevard, Suite 1 Las Vegas, Nevada 89146-5308
10	Telephone: (702) 228-7590
11	Facsimile: (702) 892-0122 E-Mail: <u>bkfilings@s-mlaw.com</u>

Attorneys for Debtors and Debtors-in-Possession

## UNITED STATES BANKRUPTCY COURT DISTRICT OF NEVADA

111 10.		
USA COMMERCIAL MORTGAGE COMPANY,		
	Debtor.	
In re:		
USA CAPITAL REALTY ADVISORS, LLC,		
	Debtor.	
In re:		
USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,		
	Debtor.	
In re:		
USA CAPITAL FIRST TRUST DEED FUND, LLC,		
	Debtor.	
In re:		
USA SECURITIES, LLC,		
	Debtor.	
Affects:		
■ All Debtors		
☐ USA Commercial Mortgage Company		
☐ USA Securities, LLC		
☐ USA Capital Realty Advisors, LLC		
☐ USA Capital Diversified Trust Deed Fund, LLC		
☐ USA First Trust Deed Fund. LLC		

Case Nos. BK-S-06-10725 LBR Case Nos. BK-S-06-10726 LBR

**E-FILED ON JANUARY 22, 2007** 

Case Nos. BK-S-06-10727 LBR

Case Nos. BK-S-06-10728 LBR

Case Nos. BK-S-06-10729 LBR

Chapter 11

Date: January 31, 2007 Time: 10:00 a.m.

CERTIFICATE OF SERVICE OF **DEBTORS' BRIEF IN OPPOSITION TO** USA COMMERCIAL REAL ESTATE GROUP, INC.'S MOTION TO ENFORCE ORDER GRANTING DEBTORS' MOTION TO DISTRIBUTE FUNDS

(AFFECTS ALL DEBTORS)

Hearing: January 31, 2007 Hearing Time: 9:30 a.m.

To

1	1. On January 18, 2007 I served the following document(s):
2	a. Debtors' Brief In Opposition To USA Commercial Real Estate Group, Inc.'s Motion
3	Enforce Order Granting Debtors' Motion To Distribute Funds (Affects All Debtors)
4	2. I served the above-named document(s) by the following means to the persons as listed
5	below:
6	■ a. <u>By ECF System:</u>
7	
8	FRANKLIN C. ADAMS franklin.adams@bbklaw.com,arthur.johnston@bbklaw.com
9	KELLY J. BRINKMAN kbrinkman@gooldpatterson.com,
10	THOMAS R BROOKSBANK brooksbankt1@sbcglobal.net, kaya1@sbcglobal.net
11	MATTHEW Q. CALLISTER mqc@callister-reynolds.com,
12	maggie@callisterreynolds.com
13	CANDACE C CARLYON ltreadway@sheacarlyon.com, ccarlyon@sheacarlyon.com;
14	bankruptcyfilings@sheacarlyon.com;rsmith@sheacarlyon.com
15	ROB CHARLES rcharles@lrlaw.com, cjordan@lrlaw.com;sbrown@lrlaw.com
16	KEVIN B. CHRISTENSEN kbchrislaw@aol.com,
17	JANET L. CHUBB! tbw@jonesvargas.com
18	JEFFREY A. COGAN jeffrey@jeffreycogan.com, sarah@jeffreycogan.com
19	WILLIAM D COPE cope_guerra@yahoo.com, cope_guerra@yahoo.com
20	CICI CUNNINGHAM bankruptcy@rocgd.com
21	LAUREL E. DAVIS bklsclv@lionelsawyer.com,
22	ldavis@lionelsawyer.com;gbagley@lionelsawyer.com;ldavisesq@aol.com
23	THOMAS H. FELL BANKRUPTCYNOTICES@GORDONSILVER.COM
24	SCOTT D. FLEMING sfleming@halelane.com,
25	dbergsing@halelane.com,ecfvegas@halelane.com
26	GREGORY E GARMAN bankruptcynotices@gordonsilver.com
27	TALITHA B. GR! AY bankruptcynotices@gordonsilver.com

bankruptcy@goldguylaw.com, ddias@goldguylaw.com

MARJORIE A. GUYMON

Tel: (702) 228-7590 · Fax: (702) 892-0122 Las Vegas, Nevada 89146-5308

- EDWARD J. HANIGAN 1 haniganlaw@earthlink.net, haniganlaw1@earthlink.net
- 2 XANNA R. HARDMAN xanna.hardman@gmail.com,
- 3 CHRISTOPHER D JAIME cjaime@waltherkey.com, kbernhar@waltherkey.com
- 4 EVAN L. JAMES ejameslv@earthlink.net, kbchrislaw@aol.com
- 5 ANNETTE W JARVIS ajarvis@rqn.com
- ROBERT R. KINAS 6 rkinas@swlaw.com,
- 7 mstrand@swlaw.com;jlustig@swlaw.com;lholding@swlaw.com;imccord@swlaw.com
- 8 NILE LEATHAM &nb! sp nleatham@klnevada.com,
- 9 ckishi@klnevada.com;bankruptcy@klnevada.com
- 10 ROBERT C. LEPOME robert@robertlepome.com, susan@robertlepome.com
- 11 REGINA M. MCCONNELL rmcconnell@kssattorneys.com,
- 12 WILLIAM L. MCGIMSEY lawoffices601@lvcoxmail.com,
- 13 RICHARD MCKNIGHT mcknightlaw@cox.net,
- 14 gkopang@lawlasvegas.com;cburke@lawlasvegas.com,sforemaster@lawlasvegas.com
- 15 SHAWN W MILLER bankruptcyfilings@sheacarlyon.com,
- 16 smiller@sheacarlyon.com;aboehmer@sheacarlyon.com;ltreadway@sheacarlyon.com;rsmi
- 17 th@sheacarlyon.com
- 18 DAVID MINCIN! mcknightlaw@cox.net, gkopang@lawlasvegas.com;dmincin@lawl
- 19 asvegas.com,cburke@lawlasvegas.com,sforemaster@lawlasvegas.com
- 20 JOHN F MURTHA jmurtha@woodburnandwedge.com
- 21 DONNA M. OSBORN jinouye@marquisaurbach.com,
- 22 dosborn@marquisaurbach.com;tszostek@marquisaurbach.com;jcrowe@MarquisAurbach.
- 23 com;kgallegos@MarquisAurbach.com
- 24 DONALD T. POLEDNAK sandplegal@yahoo.com, spbankruptcy@yahoo.com
- 25 PAUL C RAY info@johnpeterlee.com
- 26 SUSAN WILLIAMS SCANN sscann@deanerlaw.com, palexander@deanerlaw.com
- 27 SHLOMO S. SHERMAN ssherman@sheacarlyon.com,
- 28 aboehmer@sheacarlyon.com;bank!

28

1	ruptcyfilings@sheacarlyon.com;ltreadway@sheacarlyon.com;mmallet@sheacarlyon.com;r		
2	smith@sheacarlyon.com		
3	JEFFREY G. SLOANE gjklepel@yahoo.com, rmcconnell@kssattorneys.com		
4	PETER SUSI cheryl@msmlaw.com, msm@msmlaw.com		
5	CARYN S. TIJSSELING cst@beesleyandpeck.com, aha@beesleyandpeck.com		
6	U.S. TRUSTEE - LV - 11 USTPRegion17.lv.ecf@usdoj.gov,		
7	JOAN C WRIGHT jwright@allisonmackenzie.com, jbrooks@allisonmackenzie.com		
8	MATTHEW C. ZIRZOW bankruptcynotices@gordonsilver.com		
9 10	□ b. <u>By United States mail, postage fully prepaid</u>		
11 12	☐ c. <u>By Personal Service</u> I personally delivered the document(s) to the persons at these addresses:		
<ul><li>13</li><li>14</li><li>15</li></ul>	For a party represented by an attorney, delivery was made by handing the document(s) to the attorney or by leaving the document(s) at the attorney's office with a clerk or other person in charge, or if no one is in charge by leaving the document(s) in a conspicuous place in the office.		
<ul><li>16</li><li>17</li><li>18</li></ul>	For a party, delivery was made by handing the document(s) to the party or by leaving the document(s) at the person's dwelling house or usual place of abode with someone of suitable age and discretion residing there.		
19	☐ d. By direct email (as opposed to through the ECF System)		
<ul><li>20</li><li>21</li><li>22</li></ul>	Based upon the written agreement to accept service by email or a court order, I caused the document(s) to be sent to the persons at the email addresses listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.		
<ul><li>23</li><li>24</li></ul>	□ e. <u>By fax transmission</u>		
<ul><li>25</li><li>26</li><li>27</li></ul>	Based upon the written agreement of the parties to accept service by fax transmission or a court order, I faxed the document(s) to the persons at the fax numbers listed below. No error was reported by the fax machine that I used. A copy of the record of the fax transmission is attached.		

## 2850 South Jones Boulevard, Suite 1 Las Vegas, Nevada 89146-5308 Tel: (702) 228-7590 · Fax: (702) 892-0122

	f.	By messenger			
the po	ersons a	I served the document(s) by placing them in an envelope or package addressed to at the addresses listed below and providing them to a messenger for service.			
I declare under penalty of perjury that the foregoing is true and correct.					
Signe	ed on: Ja	anuary 22, 2007			
<u>Chris</u>	ti Vand	lerlip /s/ Christi Vanderlip			
(Nam	e of De	eclarant) (Signature of Declarant)			